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THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP/
BELLSOUTH I.P. CORP
100 GALLERIA PARKWAY
SUITE 1750
ATLANTA, GA 30339

EXAMINER

SALL, EL HADJI MALICK

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/882,597	Applicant(s) SILVER ET AL.	
	Examiner El Hadji M. Sall	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/14/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 16 and 20-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 16 and 20-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the requested for continuing examination filed on November 14, 2005. Claim 1 is amended. Claims 21-29 are added. Claims 1-9, 16 and 20-29 are pending. Claims 1-9, 16 and 20-29 represent electronic mail (email) Internet application methods and systems.

2. ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 1-3, 5-9, 16, 22, 23 and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvitz et al. U.S. 6,161,130 in view of Bates et al. U.S. 6,785,732.

Horvitz teaches the invention substantially as claimed including technique which utilizes a probabilistic classifier to detect "junk" e-mail by automatically updating a training and re-training the classifier based on the updated training set.

As to claims 1 and 21, Horvitz teaches a method and a system of manipulating email messages with an email network appliance comprising:

Classifying the text only email message (column 4, lines 45-49; see abstract, Horvitz discloses Based on the probability measure, the message can alternatively be classified);

Inserting the text only email message into a classification container (column 4, lines 45-49; see abstract, Horvitz discloses that message is classified as either, e.g., spam or legitimate mail, and, e.g., then stored in a corresponding folder);

Presenting the classification container in a classification display section (figure 3A, item 70; see abstract, Horvitz discloses for subsequent retrieval by and display to the recipient); and

A transmitter for transmitting the emails to a user (column 7, lines 27-32).

Horvitz fails to teach explicitly receiving an email message, the email message having had all attachments automatically unconditionally deleted such that the email message is text only.

However, Bates teaches web server apparatus and method for virus checker. Bates teaches receiving an email message, the email message having had all attachments automatically unconditionally deleted such that the email message is text only (column 9, lines 12-60, Bates discloses receiving an e-mail message with attachment, and the attachment is deleted, and the e-mail message without the attachment is sent to the web client).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Horvitz in view of Bates to provide receiving an email message, the email message having had all attachments automatically unconditionally deleted such that the email message is text only. One would be motivated to do so to allow virus infection prevention.

As to claim 2, Horvitz teaches the method of claim 1, further comprising prompting a user to save a sent email message (column 8, lines 1-2, the recipient can also save the message).

As to claim 3, Horvitz teaches the method of claim 1.

Horvitz fails to teach the email network appliance comprises an apparatus comprising a scrollable line display capable of presenting at least six lines but no more than fifteen lines.

However, Bates teaches a display that is presented to a user comprising a scrollable line display presenting at least six lines but no more than 15 lines (figure 11).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Horvitz to provide a display capable of presenting at least six lines but no more than fifteen lines. One would be motivated to do so to allow just a certain number of lines on display to avoid over crowding the display.

As to claim 5, Horvitz teaches the method of claim 1, wherein the email network appliance comprises an apparatus comprising a keyboard (figure 4, item 49).

As to claims 6 and 16, Horvitz teaches the method of claims 1 and 8 respectively, wherein the email network appliance comprises an email Internet appliance (figure 1).

As to claim 7, Horvitz teaches the method of claim 3, further comprising prompting a user to save a sent email message (column 8, lines 1-2, Horvitz discloses the recipient can also save the message).

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As to claim 8, Horvitz teaches the method of claim 6, further comprising prompting a user to save a sent email message (column 8, lines 1-2, Horvitz discloses the recipient can also save the message).

As to claim 9, Horvitz teaches the method of claim 1, wherein the display classification section comprises at least two sections, each section containing one classification container (figure 3A, item 370; see abstract, Horvitz discloses that message is classified as either, e.g., spam or legitimate mail, and, e.g., then stored in a corresponding folder (223, 227)).

As to claim 22, Horvitz teaches the system of claim 21, further comprising: a client configured for receiving email message from a server, for classifying each of the plurality of email messages, for inserting the email message into a classification container, and for presenting the classification container is a classification display section (column 4, lines 45-49; figure 3A, item 370; see abstract, Horvitz discloses Based on the probability measure, the message can alternatively be classified).

As to claim 23, Horvitz teaches the system of claim 22, wherein the client is housed in an email network appliance (figure 2).

As to claim 25, Horvitz teaches the system of claim 23, wherein the email network appliance comprises an apparatus comprising a keyboard (figure 4, item 49).

As to claim 26, Horvitz teaches the system of claim 23 respectively, wherein the email network appliance comprises an email Internet appliance (figure 1).

As to claim 27, Horvitz teaches the system of claim 22, further comprising prompting a user to save a sent email message (column 8, lines 1-2, the recipient can also save the message).

As to claim 28, Horvitz teaches the method of claim 22, wherein the display classification section comprises at least two sections, each section containing one classification container (figure 3A, item 370; see abstract, Horvitz discloses that message is classified as either, e.g., spam or legitimate mail, and, e.g., then stored in a corresponding folder (223, 227)).

4. Claims 4, 20, 24 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvitz et al. U.S. 6,161,130 in view of Bates et al. U.S. 6,785,732, and further in view of Shaw et al. U.S. 6,516,341.

Horvitz teaches the invention substantially including technique which utilizes a probabilistic classifier to detect "junk" e-mail by automatically updating a training and re-training the classifier based on the updated training set.

As to claims 4 and 24, Horvitz teaches the method and system of claims 1 and 23.

Horvitz fails to teach the email network appliance comprises an apparatus connected to a public switch network via an RJ-11 interface.

However, Shaw teaches electronic mail system with advertising. Shaw teaches the email network appliance comprises an apparatus connected to a public switch network via an RJ-11 interface (column 1, lines 58-64, Shaw discloses using a computer with a modem, the user dials up the on-line access number and connects to the on-line network).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Horvitz in view of Shaw to provide an apparatus connected to a public switch network via an RJ-11 interface to the network appliance. One would be motivated to do so to avoid excessive expenses involved on subscribing to an ISDN line or leased line.

As to claims 20 and 29, Horvitz teaches the method and system of claims 1 and 22.

Horvitz fails to teach explicitly reading a text only email message in a classification container, wherein all reading is performed off-line.

However, Shaw teaches reading a text only email message in a classification container, wherein all reading is performed off-line (column 4, lines 45-50, Shaw discloses the user reads e-mail received while off-line).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Horvitz in view of Bates, further in view of Shaw to provide reading a text only email message in a classification container, wherein all reading is performed off-line. One would be motivated to do so to allow saving online connection cost.

5. *Response to Arguments*

Applicant's arguments filed 11/14/05 have been fully considered but they are not persuasive.

As to claims 1 and 21, Applicant argues that in Bates, a virus check is performed and an attachment is removed from the e-mail only under the condition that the virus is detected. In the system of Bates, if a virus is not detected, the attachment is not deleted. Bates does not disclose having had all the attachments automatically unconditionally deleted; and cited references such as Horvitz and Bates fail to teach "deleting all attachments for all email messages received for a user".

In regards to the above point, examiner respectfully disagrees.

Column 9, lines 12-60, Bates discloses receiving an e-mail message with attachment, and the attachment is deleted, and the e-mail message without the attachment is sent to the web client. If no virus are found, and there are **no attachments** to the e-mail message, the e-mail message is sent to the recipient. In

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addition, when a virus is detected and the attachment is removed from the e-mail, implies that the attachment is "unconditionally deleted".


6. Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
Art Unit: 2157


ARIO ETIENNE
PRIMARY EXAMINER